

Remarks

In the Office Action dated November 30, 2004, the Examiner objected to the drawings. The Examiner rejected claims 1-3 and 9-11 under 35 U.S.C. § 103 as being unpatentable over the article by Smith, et al. in view of the U.S. Patent to Vu 5,623,601. The Examiner rejected claims 4-7 and 12-15 under 35 U.S.C. § 103 as being unpatentable over Smith, et al. in view of Vu and further in view of the U.S. Patent to Combar, et al. 6,470,386. The Examiner rejected claims 8 and 16 under 35 U.S.C. § 103 as being unpatentable over Smith, et al. in view of Vu in view of Combar, et al. and further in view of the U.S. Patent to Nessett, et al. 5,968,176.

Applicants' Attorney respectfully traverses the Examiner's objection to the drawings. Applicants' Attorney has reviewed 35 U.S.C. § 113 and the relevant rules 37 C.F.R. § 1.81, 37 C.F.R. § 1.83 and 37 C.F.R. § 1.84 and it is clear that reference characters or numbers are not required for the items illustrated in the drawings. The present drawings are heavily annotated and do not need reference characters or numbers for an understanding of the subject matter to be patented. Furthermore, as noted at 37 C.F.R. § 1.84 (p)(5) reference characters not mentioned in the description shall not appear in the drawings. Here, reference characters are not mentioned in the description and reference numbers must not appear in the drawings. Consequently, it is not deemed necessary (or even permissible) to provide reference numerals in the drawings.

By this Amendment, Applicants' Attorney has amended each of the independent claims 1 and 9 to more particularly point out and distinctly claim what Applicants regard as their invention. In particular, each of the independent claims has been amended to make it clearer that the method and system are provided to protect publicly accessible network computer services of undesirable network traffic which includes a stream of service requests destined for the services. Request statistics are generated based on the stream of service requests and the request statistics are analyzed to identify an undesirable user of the services.

Then, access of the identified undesirable user to the services are limited or removed to protect the services.

Clearly, none of the references of record taken either alone or in combination with one another disclose these features. For example, the article in the name of Smith, et al. discloses a firewall system which operates with intrusion detection software to automatically cause a set of firewalls to tighten their security and change their security policy for individual attack activity. A firewall at a local LAN communicates with a gateway device which is acting as a firewall. The paper discusses the detection of a port scanner which would be a trigger to signal external firewall communications. Intrusion detection monitors an internal system for illegal internal activity. As previously mentioned, communications are provided between a corporate firewall and gateways and between gateways. Communication of security policy from a local firewall to the gateway firewall is protected by encryption. When a corporate firewall detects an attack, messages to the gateway firewalls are sent to block the attack.

The U.S. Patent of Vu discloses a secure gateway disposed between a private network and a potentially hostile network. The gateway accepts communications packets from either network that are encapsulated with a hardware designation address which matches the device address of the gateway. Clearly, Vu was not concerned with a method and system for protecting publicly accessible network computer services as noted in the Title, the Field of the Invention, the Object of the Invention and the preambles of each of the independent claims of the present application.

The U.S. Patent to Combar, et al. discloses a web-based client-server application which implements a real-time monitoring function with the capability of communicating real-time network performance and statistical information relating to usage of the telecommunication network over the Internet to a client workstation having a browser. Clearly, Combar, et al. is not concerned with protection of publicly accessible network computer services from undesirable network traffic in real-time.

Consequently, none of the art of record taken either alone or in combination with one another teach, disclose or discuss receiving a stream of service requests destined for the publicly accessible network computer services, generating request statistics based on the requests, analyzing the request statistics to identify an undesirable user and limiting or removing access of the identified undesirable user to the services to thereby protect the services.

Consequently, in view of the above and in the absence of better art Applicants' Attorney respectfully submits that the application is in condition for allowance which allowance is respectfully requested.

Respectfully submitted,

Gerald R. Malan, et al.

By



David R. Syrowik
Reg. No. 27,956
Attorney/Agent for Applicant

Date: January 3, 2005

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351